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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,620	09/29/2000	Daniel Rodman Hicks	ROC920000200	9570

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EXAMINER	
SNYDER, DAVID A	
ART UNIT	**PAPER NUMBER**
2122	4

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PRC

Office Action Summary	Application No.	Applicant(s)	
	09/675,620	HICKS, DANIEL RODMAN	
	Examiner	Art Unit	
	David A Snyder	2122	

-- The MAILING DATE of this communication appears on the cov r sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 August 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 September 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Examiner's Remarks

1. The amendments and/or corrections to the Drawings have been considered and reviewed. The objections to Figures 15 and 16B in the Office Action, dated 23 May 2003, are **maintained** due to the fact there are no amended or corrected drawings of these figures present in the amendment. The other objections have been **withdrawn**.

2. The amendments and/or corrections to the Specification have been considered and reviewed. The objections have been **withdrawn**.

3. The Applicant's arguments to the 35 U.S.C. 112, second paragraph, rejection have been fully considered and are persuasive. The rejection is **withdrawn**.

4. The Applicant's arguments to the 35 U.S.C. 102(b) and 103(a) rejections have been fully considered and are not persuasive. The rejections are **maintained**.

Drawings

5. New corrected drawings are required in this application because the Applicant states, "The proposed amendments to the drawings, Figures 15 and 16, correct these typographical and/or clerical errors" (Amendment A, pg 6). The Applicant has failed to produce said corrected and/or amended figures. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

6. The corrections to the Drawing's descriptions of figures 6A, 6B, 8B, 12, 14, items 1541 and 1542 of figure 15, and 1636 and 1638 of figure 16 have been reviewed and are acceptable. The objections to these figures and/or items of these figures have been **withdrawn**.

Specification

7. The proposed amendments to the Specification have been considered and reviewed. The objections have been **withdrawn**.

Remarks to Arguments

8. Applicant's arguments, see pg 7 - 10, filed 12 Aug 2003, with respect to the 35 U.S.C. 112, second paragraph, rejection have been fully considered and are persuasive. The rejection of claims 7, 16, 22, 25, 26, and 28 has been **withdrawn**.

9. Applicant's arguments filed 12 Aug 2003 with regard to the 35 U.S.C. 102(b) rejection of claims 1 – 21, 23, and 24 have been fully considered but they are not persuasive. The Applicant states that the adding of "data to a versioned object defining all available versions of the object" by the link-editor is not the "copy[ing] of called external subroutines of the addressable items, along with a version indicium" (pg. 10). However, it is well known in the art that a linker copies external subroutines into a compilation unit and Evans et al. (USPN 5,805,899; hereafter referred to as Evans) teaches adding version information to the linked unit. Therefore, the Applicant's arguments are moot and not persuasive, and the rejections are **maintained**.

10. Applicant's arguments filed 12 Aug 2003 with regard to the 35 U.S.C. 103(a) rejection of claims 22 – 28 have been fully considered but they are not persuasive. The Applicant

states that the "cloned versions of Java within a compilation unit" of claim 22 are not the same "checking [of] the view for each transaction to see if a version [cloned version] of the entity bean can be found in the transaction chain" of Nally et al. (USPN 6,298,478; hereafter referred to as Nally; col. 18, ll. 24 - 33) (pg. 12). Therefore, it should be noted that the "cloned version" within a compilation unit must be of a different version, or the exercise of having version information with a Java method is for naught. And, as claim 22 states, "said framework resolv[es] called Java methods . . . in the event of a version conflict" (pg. 12). Therefore, due to the cloned versioning of Evans combined with the version searching of Nally, the Applicant's arguments are moot and not persuasive, and the rejection of claim 22, and dependent claims 23 – 28, is **maintained**.

11. The rejections, which follow, are in response to Applicant's original claims 1 - 28.

a. Claims 1 – 21, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Evans.

As per claims 1, 10, and 17, Evans teaches, "copying each of said external resolution items into said one compilation unit to form respective internal resolution items" (Evans, col. 2, ll. 8 – 11);

Evans also discloses, "compiling said subroutine . . . with a respective version" (Evans, col. 2, ll. 11 – 13).

As per claims 2, 11, and 18, as applied to claims 1, 10, and 17 above, Evans teaches, "version indicium comprises at least one of . . . a version control identifier" (Evans, col. 2, ll. 18 – 20).

As per claims 3, 12, and 19, as applied to claims 1, 10, and 17 above, Evans discloses, "internal resolution items are compiled to produce in-line executable code" (Evans, col. 2, ll. 30 – 34).

As per claims 4, 13, and 20, as applied to claims 1, 10, and 17 above, Evans teaches, "external resolution items comprise items resolved within a second of said plurality of compilation modules" (Evans, col. 2, ll. 13 – 17).

As per claims 5, 14, and 21, as applied to claims 4, 13, and 20 above, Evans discloses, "items resolved within said second . . . modules comprise . . . items resolved within a third of . . . modules" (Evans, col. 14, ll. 16 – 21).

As per claims 6 and 15, as applied to claims 5 and 14 above, Evans teaches, "corresponding items resolved within said third of said plurality of compilation modules is executed" (Evans, col. 14, ll. 35 – 40).

As per claims 7 and 16, as applied to claims 1 and 10 above, Evans discloses, "external resolution items comprises . . . classes" (Evans, Fig. 2b, item 114)

As per claim 8, Evans discloses, "comparing . . . cloned and external entities" (Evans, col. 13, ll. 35 – 44).

As per claim 9, as applied to claim 8 above, Evans teaches, "version indicium comprises at least one of . . . a version control identifier" (Evans, col. 2, ll. 18 – 20).

b. Claims 22 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans in view of Nally.

As per claim 22, Evans does not expressly disclose the "resolving Java methods . . . outside said common compilation in the event of a version conflict." However, Nally does disclose the use of Java methods in an internal and external role if the versioning conflicts (Nally, col. 18, ll. 24 – 33). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the versioning of Evans would be extendable to the Java framework of Nally. One of ordinary skill in the art would have been motivated to do this in order to use the most up-to-date and current version of an object available on a system.

As per claim 23, as applied to claim 22 above, Evans teaches, "version indicium comprises at least one of . . . a version control identifier" (Evans, col. 2, ll. 18 – 20).

As per claim 24, as applied to claim 22 above, Evans discloses, "internal resolution items are compiled to produce in-line executable code" (Evans, col. 2, ll. 30 – 34).

As per claim 25, as applied to claim 22 above, Evans teaches, "an executing Java method is provided addressability to a runtime version of its entry in a container class method table" (Evans, col. 2, ll. 13 – 17).

As per claim 26, as applied to claim 23 above, Evans does not expressly disclose, "loading said clone class." However, Nally does

disclose a loading of a clone class (Nally, col. 17, ll. 59 – 62). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the versioning system of Evans could be used in conjunction with the Java-based system of Nally. One of ordinary skill in the art would have been motivated to do this in order to speed execution of the total entity class.

Evans does not expressly teach, "modifying said loaded clone class to represent the respective clone and parent classes for said constant pool entry." However Nally does disclose the modification of a clone class to represent clone and parent classes (Nally, col. 18, ll. 7 – 14). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the versioning system of Evan when combined with the Java-based entity sessions of Nally would require the copying of current states. One of ordinary skill in the art would have been motivated to do this in order to maintain state and transactions across the different Java-based systems.

As per claim 27, as applied to claim 26 above, Evans does not expressly disclose the "overlaying a plurality of fields . . . to represent corresponding structures of said parent class." However, Nally does disclose a structure overlay from parent to clone (Nally, col. 18, ll. 7 – 14). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the versioning system of Evan when

combined with the Java-based entity sessions of Nally would require the copying of current states. One of ordinary skill in the art would have been motivated to do this in order to maintain state and transactions across the different Java-based systems.

As per claim 28, as applied to claim 26 above, Evans does not expressly disclose, "extracting a corresponding constant pool entry pointer; resolving the constant pool entry to its class; and determining if the constant pool entry has been resolved to a clone class." However, Nally does disclose extracting a corresponding constant pool entry (Nally, col. 18, ll. 28 – 33), resolved to the pool entry (Nally, col. 18, ll. 7 – 14), and determining if it has been resolved to a clone class (Nally, col. 18, ll. 49 – 51). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the versioning system of Evans would be useful in the clone creation, resolution, and pool entry propagation of Nally. One of ordinary skill in the art would have been motivated to do this in order to maintain state and transactions across the different Java-based systems.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A Snyder whose telephone number is (703) 305-7205. The examiner can normally be reached on Monday - Friday from 9am - 5pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dAs

TUAN DAM
SUPERVISORY PATENT EXAMINER